

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

NECA-IBEW Local 364 Defined
Contribution Pension Trust Fund, et al.)

Plaintiffs,)

v.)

Porter Brothers Construction, Inc.,)

Defendant.)

Case No. 24 C 50312

Judge Margaret J. Schneider

ORDER, REPORT AND RECOMMENDATION

A hearing was held on February 27, 2025, on Plaintiffs' motion for a default judgment [18]. The motion and notice of hearing were served on the Defendant/registered agent on February 14, 2025, by certified mail/return receipt requested [23], [23-1]. Defendant failed to appear at the hearing. The motion seeks judgment in the amount of \$134,332.62 in delinquent fringe benefit contributions, work dues, liquidated late payment assessments, and audit costs, plus \$1,881.50 for attorneys' fees and costs, for a total judgment of \$136,214.12. The motion includes an affidavit of a fund administrator and copies of audit reports that calculate the delinquent contributions and assessments [18-1]. The filings also include timesheets and affidavits from counsel in support of the fees and costs sought. *Id.* According to attorney Catherine M. Chapman's affidavit, 9.25 hours were spent in investigation, preparation, and court appearances, at an hourly rate from \$70.00 to \$320.00 for a total of \$1,332.50 plus \$549.00 incurred in costs. *Id.* The Court has reviewed counsel's affidavit and timesheets regarding billing records and determines that the hours spent were reasonable, as are counsel's billing rates and costs. Accordingly, it is this Court's Report and Recommendation that the District Court grant the Plaintiffs' motion for a default judgment [18] and enter judgment in the amount of \$136,214.12 in favor of the Plaintiffs. Any objection is due by March 25, 2025. Failure to object may constitute a waiver of objections on appeal. *See Provident Bank v. Manor Steel Corp.*, 882 F.2d 258, 260 (7th Cir. 1989). The Clerk is directed to mail a copy of this Order to Defendant at the address where it was served: Porter Brothers Construction, Inc. c/o Trent L. Bush, its Registered Agent, 202 East Fifth Street, Sterling, IL 61081-3651, and Matthew Porter/President, 9904 Freeport Road, Rock Falls, IL 61071-9502.

Date: March 11, 2025

ENTER:


United States Magistrate Judge